

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES,

-v-

JOEL ORTIZ,

Defendant.

22-cr-192-6 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

Defendant Joel Ortiz has filed a motion for a sentence reduction based on a retroactively applicable recent amendment to the Federal Sentencing Guidelines. ECF No. 175. However, even assuming that this amendment reduces Ortiz's Guidelines range, Ortiz's offense -- using, carrying, possessing and brandishing a firearm during and in relation to a drug trafficking crime, in violation of 18 U.S.C. 924(c)(1)(A)(ii) -- carries a seven-year mandatory minimum term of imprisonment. ECF No. 151. Because Ortiz was sentenced to the mandatory minimum term of imprisonment, id., the Court lacks the authority to reduce his sentence further. Accordingly, the Court hereby denies defendant's motion.

SO ORDERED.

New York, NY  
June 27, 2024

  
JED S. RAKOFF, U.S.D.J.